REMARKS

The Office Action dated November 17, 2005 has been received and carefully noted. The following remarks are submitted as a full and complete response thereto.

Claims 1-7 and 9-13 stand rejected and pending and under consideration.

REJECTION UNDER 35 U.S.C. § 103:

In the Office Action, at page 2, claims 1-7 and 9-10 *were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,892,241 to Kouznetsov et al. ("Kouznetsov") in view of U.S. Patent No. 6,192,237 to Clapton et al. ("Clapton"). The Office Action took the position that Kouznetsov and Clapton disclose all the aspects of claims 1-7 and 9-10. The rejection is traversed and reconsideration is requested.*

Independent claim 1, upon which claims 2-7 and 9 are dependent, recites a method of updating a virus signature database used by anti-virus software operating on a mobile wireless platform, including sending update data via a signalling channel of a mobile telecommunications network to the mobile wireless platform, and sending virus update requests to the network server to identify to a network server updates required by the mobile wireless platform.

Independent claim 10 recites a method of protecting a wireless device against viruses including maintaining a database of virus signatures on the device, updating the database by receiving data containing virus signatures in one or more Short Message Service (SMS) or Unstructured Supplementary Services Data (USSD) messages,

searching for virus signatures contained in the database, and sending virus update requests to the network server to identify to a network server updates required by the mobile wireless platform.

As will be discussed below, Kouznetsov and Clapton fail to disclose or suggest the elements of any of the presently pending claims.

Applicants note that Kouznetsov has an effective filing date of September 28, 2001. The instant application has a U.S. National Stage filing date of August 28, 2001 and claims foreign priority to British application No. 002128101 filed August 31, 2000. In an Office Action dated October 1, 2004, the examiner acknowledged receipt of the certified copy of the priority document. In addition, the USPTO issued a Filing Receipt acknowledging the claimed foreign priority. Accordingly, Applicants respectfully assert that Kouznetsov is antedated as a prior art reference with respect to the instant application. Thus, reconsideration and withdrawal of the prior art rejection are respectfully requested.

Although it cannot be relied upon, as correctly recognized in the Office action, there is no teaching or suggestion in Kouznetsov of "sending update data via a signalling channel of a mobile telecommunications network to the mobile wireless platform," as recited in independent claim 1, and "updating the database by receiving data containing virus signatures in one or more Short Message Service (SMS) or Unstructured Supplementary Services Data (USSD) messages," as recited in independent claim 10. Accordingly, the Office Action relies on Clapton as describing such recitations.

In Clapton, an arrangement is provided allowing a user of a mobile telephone 11 to use intelligent network (IN) services specific to his home network. According to Clapton, when a user makes an outgoing call attempt, the associated signalling is transmitted over a signalling channel (step 1). See column 5, lines 1-5. The user can be connected through an MSC 13 of a system other than his home system (a process known as "roaming"). However, Clapton does not relate to a method of updating a virus signature database used by anti-virus software. Instead, Clapton limits its description to providing a call-set up process. Clapton is silent as to teaching or suggesting, "sending update data via a signalling channel of a mobile telecommunications network to the mobile wireless platform," as recited in independent claim 1.

Further, Clapton simply indicates that outgoing calls from the user are transmitted over the signalling channel, without any teaching or suggestion of "sending update data via a signalling channel of a mobile telecommunications network to the mobile wireless platform," as recited in independent claim 1. Similarly, Clapton fails to describe, "sending virus update requests to a network server to identify to the network server updates required by the mobile wireless platform," as recited in independent claim 10.

Clapton limits its description to conventional uses of USSD messages. Specifically, Clapton provides that USSD has only been used to update more static customer data, such as setting up a call-forward arrangement representing advice of the user's own telephone number. See column 2, lines 51-57. However, there is no teaching or suggestion in Clapton of "updating the database by receiving data containing virus

Application No.: 09/939,717

signatures in one or more Short Message Service (SMS) or Unstructured Supplementary Services Data (USSD) messages," as recited in independent claim 10.

There is nothing in Clapton to suggest that USSD messages may be used to carry application updates, such as anti-virus updates. Contrary to the contentions made in the Office Action, there is no teaching or suggestion in Clapton of providing any reference to SMS messages. Accordingly, Clapton alone does not provide for all the recitations of independent claims 1 and 10.

In view of the foregoing, it is respectfully asserted that Kouznetsov cannot be used to reject the claims and Clapton alone fails to teach or suggest all of the recitations of independent claims 1 and 10. It is respectfully requested that independent claims 1 and 10 and related dependent claims be allowed.

In the Office Action, at page 6, claims 11-13 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,892,241 to Kouznetsov et al. ("Kouznetsov") in view of U.S. Patent No. 6,192,237 to Clapton et al. ("Clapton") and further in view of U.S. Patent Publication No. US 2002/0168111 to Latva-Aho ("Latva-Aho"). The Office Action took the position that Kouznetsov, Clapton, and Latva-Aho disclose all the aspects of claims 11-13. The rejection is traversed and reconsideration is requested.

Independent claim 11, upon which claims 12-13 are dependent, recites a method for a mobile wireless platform that includes sending a message from a mobile station to

Application No.: 09/939,717

an anti-virus server, wherein the message indicates virus signatures stored in the mobile station. The method also includes, in response to the message from the mobile station, generating concatenated return messages at the anti-virus server including virus signatures different from the virus signatures stored in the mobile station. The method sends the concatenated return messages from the anti-virus server to the mobile station to update the virus signatures stored in the mobile station.

As will be discussed below, Kouznetsov, Clapton, and Latva-Aho fail to disclose or suggest the elements of any of the presently pending claims.

As previously set forth, Kouznetsov cannot be used to reject the pending claims because Kouznetsov is antedated as a prior art reference with respect to the instant application.

Clapton provides a call set-up process making conventional use of USSD messages. However, there is nothing in Clapton to teach or suggest that USSD messages may be used to carry application updates, such as anti-virus updates. Contrary to the contentions made in the Office Action, there is no teaching or suggestion in Clapton of the use of SMS messages. Clapton is devoid of any teaching providing sending a message from a user or a mobile station 11 to an anti-virus server, "wherein the message indicates virus signatures stored in the mobile station," as recited in independent claim 11. In addition, there is no description in Clapton providing that in response to the message from the mobile station 11, "generating concatenated return messages at the anti-virus server including virus signatures different from the virus signatures stored in

Application No.: 09/939,717

the mobile station; and sending the concatenated return messages from the anti-virus server to the mobile station to update the virus signatures stored in the mobile station," as recited in independent claim 11.

The office action correctly recognized that Clapton is silent as to teaching a generation of concatenated return messages at the anti-virus server. Accordingly, the office action relies on Latva-Aho as providing for such claimed recitations.

Latva-Aho generally describes a method for image processing, where the image is compressed, quantized using a matrix, and coded using a coding matrix. The method described in Latva-Aho may also be employed for image transmission in a mobile communication network by using short messages (SMS, Short Message Service). According to the office action, Latva-Aho cures the deficiencies of Clapton because it provides that a large amount of information may be transmitted using C-SMS (Concatenated Short Messages). See paragraph [0053].

Nonetheless, the transmission of a large amount of information may be transmitted using C-SMS as provided in Latva-Aho, does not cure the deficiencies of Clapton. Similarly to Clapton, Latva-Aho is silent as to teaching or suggesting, "sending a message from a mobile station to an anti-virus server, wherein the message indicates virus signatures stored in the mobile station," as recited in independent claim 11. Latva-Aho is devoid of any suggestion that the C-SMS may be used to generate "concatenated return messages at the anti-virus server including virus signatures different from the virus signatures stored in the mobile station," as recited in independent claim 11, in response to

Application No.: 09/939,717

the message from the mobile station. Providing a concatenation of images of Latva-Aho and the call set-up process of Clapton do not teach or suggest all the claimed recitations of independent claim 11.

Accordingly, even if Clapton and Latva-Aho were combined, a combination thereof would not provide for all the recitations of independent claim 11. In view of the foregoing, it is respectfully requested that independent claim 11 and related dependent claims be allowed.

CONCLUSION:

In view of the above, Applicants respectfully submit that the claimed invention recites subject matter which is neither disclosed nor suggested in the cited prior art. Applicants further submit that the subject matter is more than sufficient to render the claimed invention unobvious to a person of skill in the art. Applicants therefore respectfully request that each of claims 1-7 and 9-13 this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the Applicants respectfully petitions for an appropriate extension of time.

Application No.: 09/939,717

Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

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